

REMARKS / DISCUSSION OF ISSUES

The present amendment is submitted in response to the Non-Final Office Action mailed December 09, 2010. Upon entry of the present amendment, claims 1-11 and 13-26 will remain pending in this application. Claims 1-11 and 13-26 have been amended. Claim 12 has been cancelled without prejudice or disclaimer. The claims in general are amended for one or more non-statutory reasons, for example to correct one or more informalities or obvious errors, remove figure label numbers, remove unnecessary limitations, and /or replace European claim phraseology with U.S. claim language having the same meaning. The claims are not believed to be narrowed in scope and no new matter is added.

Allowable Subject Matter

Applicants wish to thank the Examiner for indicating that Claim 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have elected to incorporate the limitations of dependent claim 12 into independent claim 1. Hence, it is believed that claim 1 is in condition for allowance including all of the claims depending therefrom.

Rejections under 35 U.S.C. §102(b)

I. Claim 1-8 and 14-21 are allowable

In the Office Action, Claims 1-8 and 14-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 7,002,532 (“Suyama”). Applicants respectfully traverse the rejections.

Independent Claim 1 has been amended herein to incorporate the limitations of dependent claim 12, which the Examiner has indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See Office Action, pages 15-16. As admitted by the Office, with respect to claim 12, Suyama does not disclose or suggest wherein the first beam splitter has a first optical input coupled to the optical output of the first polarization switch, for diverting light at the optical input of the first splitter to first and second optical outputs respectively according to a polarization state of

the light at the optical input of the first splitter, as recited in claim 1. Hence, claim 1 is allowable.

Claims 2-8 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 2-8 is respectfully requested.

Independent Claim 14 recites similar subject matter as Independent Claim 1 and therefore contains the limitations of Claim 1. Hence, for at least the same reasons given for Claims 1, Claim 14 is believed to recite statutory subject matter under 35 USC 102(b).

Claims 15-21 depend from independent Claim 14 and therefore contain the limitations of Claim 14 and are believed to be in condition for allowance for at least the same reasons given for Claim 14 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 15-21 is respectfully requested.

II. Claims 1, 9, 10, 14, 22 and 23 are allowable

In the Office Action, Claims 1, 9, 10, 14, 22 and 23 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,475,525 ("Tournois"). Applicants respectfully traverse the rejections.

Independent Claim 1 has been amended herein to incorporate the limitations of dependent claim 12, which the Examiner has indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See Office Action, pages 15-16. As admitted by the Office, with respect to claim 12, Tournois does not disclose or suggest wherein the first beam splitter has a first optical input coupled to the optical output of the first polarization switch, for diverting light at the optical input of the first splitter to first and second optical outputs respectively according to a polarization state of the light at the optical input of the first splitter, as recited in claim 1.

Hence, claim 1 is allowable.

Claims 9-10 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 9, 10 is respectfully requested.

Independent Claim 14 recites similar subject matter as Independent Claim 1 and therefore contains the limitations of Claim 1. Hence, for at least the same reasons given for Claims 1, Claim 14 is believed to recite statutory subject matter under 35 USC 102(b).

Claims 22-23 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 15-21 is respectfully requested.

III. Claims 1, 11, 14, 24 and 25 are allowable

In the Office Action, Claims 1, 11, 14, 24 and 25 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,329,118 ("Riza"). Applicants respectfully traverse the rejections.

Independent Claim 1 has been amended herein to incorporate the limitations of dependent claim 12, which the Examiner has indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See Office Action, pages 15-16. As admitted by the Office, with respect to claim 12, Riza does not disclose or suggest wherein the first beam splitter has a first optical input coupled to the optical output of the first polarization switch, for diverting light at the optical input of the first splitter to first and second optical outputs respectively according to a polarization state of the light at the optical input of the first splitter, as recited in claim 1. Hence, claim 1 is allowable.

Claim 11 depends from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claim 11 is respectfully requested.

Independent Claim 14 recites similar subject matter as Independent Claim 1 and therefore contains the limitations of Claim 1. Hence, for at least the same reasons given for Claims 1, Claim 14 is believed to recite statutory subject matter under 35 USC 102(b).

Claims 24-25 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 24-25 is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claims 13 and 26 are allowable

In the Office Action, Claims 13 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Suyama in view of U.S. Patent No. 6,377,229 (“Sullivan”). Applicants respectfully traverse the rejections.

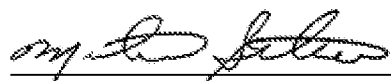
As explained above, the cited portions of Suyama do not disclose or suggest each and every element of claims 1 and 14 from which claims 13 and 26 depend respectively. Sullivan does not disclose each of the elements of claim 1 that are not disclosed by Kim. For example, Sullivan does not disclose or suggest, wherein the first beam splitter has a first optical input coupled to the optical output of the first polarization switch, for diverting light at the optical input of the first splitter to first and second optical outputs respectively according to a polarization state of the light at the optical input of the first splitter, as claimed in claim 1. Hence, claim 1 is allowable.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-11 and 13-26 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-945-6000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael A. Scaturro", is written over a horizontal line.

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